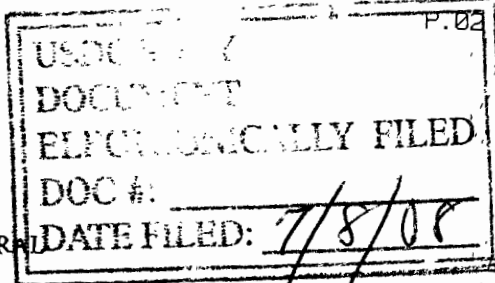




STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL



ANDREW M. CUOMO
Attorney General

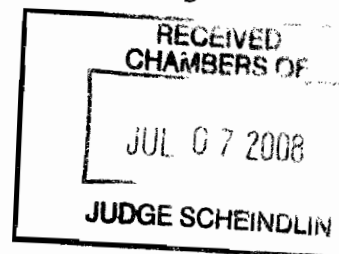
LESLIE G. LEACH
Executive Deputy Attorney General
Division of State Counsel

JUNE DUFFY
Assistant Attorney General in Charge
Litigation Bureau

July 7, 2008

By Fax

The Honorable Shira A. Scheindlin
United States District Judge
United States District Court
500 Pearl Street, Room 1620
New York, New York 10007-1312
Fax # 212/805-7920



Re: Gardner v. Daddezio, et al.,
07-Civ-7201 (SAS) (Pro Se)

Dear Judge Scheindlin,

Defendants in this pro se prisoner litigation respectfully request leave to file certain exhibits supporting their summary judgment motion in excess of 15 pages. The motion is due to be served today and is in the final stages of preparation. The oversized exhibits are:

1. The original complaint, 20 pages;
2. Plaintiff's deposition, 41 pages;
3. Defendant D'Addezio's interrogatory responses, 20 pages;
4. Defendant Haller's interrogatory responses, 22 pages, including 7 pages of exhibits to it.

All exhibits are attached to the undersigned's declaration. Defendants request to submit the above items as complete documents in order to provide clarity for the pro se inmate plaintiff. In the past, courts have required the undersigned to submit complete deposition transcripts in cases involving pro se plaintiffs. There are a total of 13 exhibits, totaling about 146 pages including the oversized documents, substantially less than the Court's cumulative limit of 225 (15 exhibits times 15 pages).

Respectfully submitted,

Steven N. Schulman
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cc: **By Post**
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